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House easily approves \$1.1T funding bill, 316-113
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The House on Friday overwhelmingly approved a \$1.1 trillion spending package that includes the first major change approved by Congress to ObamaCare, and keeps the government open through September 2016.

Lawmakers backed the package following a furious effort by Speaker Paul Ryan (R-Wis.), Minority Leader Nancy Pelosi (D-Calif.) and their leadership teams to corral votes in both parties.

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[Deadline for Congress to Pass an Omnibus Appropriations Bill or CR Funding the Government](#)
December 11

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DOE National Cleanup Workshop
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Hilton Alexandria Mark

In the end, there was no drama in the 316-113 vote.

Ryan won 150 GOP votes, a majority of his conference that represents a big victory for the new speaker. Ninety-five Republicans voted against the measure.

Only 18 Democrats voted against the spending bill, while 166 supported it.

The Senate is expected to pass the package later today, likely after pairing it with a massive tax package approved by the House on Thursday. The White House has said President Obama will sign both measures.

Ahead of the vote, conservatives were expressing disappointment with the package, which was largely put in place by former Speaker John Boehner (R-Ohio), who agreed to the top-line number in a deal with Democrats and the White House before ending his Speakership.

Only 79 House Republicans voted for that budget in October, which severely limited the GOP's leverage in the omnibus negotiations.

Republicans also weren't able to secure tighter restrictions on Syrian refugees entering the country, or language to block funds for Planned Parenthood. Amendments offered by conservatives in a House Rules Committee hearing this week were rejected.

To win over GOP votes, Ryan added language to the bill lifting the decades-old ban on U.S. oil exports.

And many Republicans appeared to want to use the vote to register their confidence for Ryan, who has enjoyed a pronounced honeymoon as Speaker.

The vote was closed shortly after the 150th Republican "yes" vote was cast.

That did not seem coincidental given a letter sent to the GOP whip team after the Thanksgiving holiday by Majority Whip Steve Scalise (R-S.C.).

The whip set a marker of 150 GOP votes for the spending bill in the letter, which criticized Republican lawmakers who vote against a bill but secretly hope it passes.

“The vote that hurts our Conference is the no vote from a Member who hopes the bill passes, but relies on others to carry that load,” Scalise wrote. “That vote isn’t fair to the Members who shoulder the responsibility of voting yes, and it isn’t fair to the Republican Conference as a whole.

“While we always strive to reach 218 with Republican votes, sometimes that is not possible with divided government, and the story of a bill that passed with 150 Republican votes is much more positive and assertive than the story of a bill that passes with 79 Republican votes,” Scalise wrote. “My point is simple: if there are 150 Republicans who hope the bill passes, then there should be 150 Republicans who vote yes on final passage.”

After the vote, Scalise touted the majority support from Republicans as a moment of unity after his warning letter.

“I think you saw a lot of members recognizing that there’s strength in numbers and that we embolden Speaker Ryan in those negotiations if we back him up with the votes,” Scalise told reporters outside the House chamber.

On Thursday, Pelosi cast some doubt on how many Democrats would back the measure.

Liberal Democrats were upset by the oil provision, though Pelosi and her leadership team noted that their party won the extension of several renewable energy tax credits in exchange for ending the ban on oil exports.

In an early Friday morning memo to House Democrats, Pelosi ticked off a variety of GOP riders Democrats prevented, including attempts to defund Planned Parenthood and overturn environmental regulations.

“Republicans’ desperate thirst for lifting the oil export ban empowered Democrats to win significant concessions throughout the Omnibus, including ridding the bill of scores of deeply destructive poison pill riders,” Pelosi wrote in a Thursday night letter to House Democrats urging them to support the bill. Another provision that might have won Democratic votes dealt with ObamaCare.

The legislation would suspend for two years ObamaCare’s “Cadillac” tax on high-cost insurance plans. Many Democrats

wanted that provision, as unions would like the tax to be repealed.

Ahead of an election year in which labor's ground support will be crucial to Democratic races around the country, it is a significant win for the party.

The change came despite the Obama administration's support for the tax, which is intended to keep healthcare costs down. The White House indicated Obama would not veto the overall package over the tax issue.

The omnibus package also includes a renewal of 9/11 first responder health benefits, known as the James Zadroga Act, a measure the former "Daily Show" host Jon Stewart lobbied for in Congress.

One key disappointment for Democrats was the absence of help for Puerto Rico's debt crisis.

Rep. Jose Serrano (D-N.Y.), a senior appropriator who was born in Puerto Rico, called it a "glaring omission."

"We found a way to give away billions and billions of dollars to big oil companies, as it relates to lifting the prohibition on the export of crude oil, but we couldn't find a way to help the hardworking people of Puerto Rico," said Rep. Hakeem Jeffries (D-N.Y.).

"Shame on us here in the United Congress," Jeffries added.

In an attempt to assuage concerns, Ryan has directed House committees of jurisdiction to come up with a plan to help resolve Puerto Rico's debt crisis by the end of March.

Democrats backing the package said the alternative was worse.

"Get a grip, people. If we go back to continuing resolutions, it's going to get ugly in a hurry," said Rep. Earl Blumenauer (D-Ore.).

Savannah River Site MOX project expected to continue while officials assess downblending

Aiken Standard

December 16, 2015

[LINK](#)

The MOX project will face off against a downblending alternative in the coming months following the expected passage of a spending bill this week that will adequately fund MOX for another fiscal year.

Current language in the omnibus bill calls for \$340 million to continue building the Savannah River Site's Mixed Oxide Fuel Fabrication Facility – the main facility in the nation's MOX project, which is expected to dispose of 34 metric tons of weapons-grade plutonium.

Congress passed another continuing resolution to keep the government open through Dec. 22, long enough to pass the omnibus.

The bill was introduced Tuesday with full text posted around 1 a.m. Wednesday. The text has to be available for three days so stakeholders can read it before a vote is taken. The U.S. House is expected to vote on Friday with the Senate to follow.

MOX vs. downblending

The MOX method is expected to use the main facility and others to convert 34 metric tons of weapons-grade plutonium into commercial nuclear fuel. Despite a congressionally-mandated study that evaluated four other alternatives, the omnibus only mentions MOX and the downblending alternative – one that would dilute the plutonium and dispose of it at a repository.

The omnibus will allow up to \$5 million for advanced planning and to complete conceptual design activities for the downblending alternative.

The results must be submitted to the Committees on Appropriations of both houses of Congress in a report that includes an evaluation of program risks and lifecycle cost estimates and schedules.

Though the omnibus sets up for a closer assessment of the downblending method, language also specifies that only MOX should move forward with construction.

“The agreement prohibits funds from being used to dilute plutonium that could otherwise be used for MOX feedstock or used to meet the nation's agreement with Russia,” according to the text.

A 'war' on the horizon

U.S. Sen. Tim Scott, R-S.C., has been one of the MOX projects biggest supporters, but said it will be a "war" to keep the project afloat next year.

"We had to take a very strong position to protect the MOX program," Scott said. "We won this round, but the next round is coming very quickly."

Scott said securing the funding was a tough fight following a lengthy summer of studies of congressional hearings and other MOX reports. He added that talks with other legislators were essential in pushing MOX construction through 2016.

U.S. Sen. Lindsey Graham, R-S.C., added that the funding will hopefully alleviate some of the concerns in the local community.

The MOX project is based at the Savannah River Site in Aiken County.

"There has been a lot of anxiety and uncertainty in the community about the program's future, particularly after the (President Barack Obama) administration tried to cancel the program, which would have left South Carolina stuck with several tons of weapons-grade plutonium," Graham said.

He was referencing Obama's 2014 budget proposal, which called for placing the program in a cold standby. South Carolina's congressmen, as well as Gov. Nikki Haley and Attorney General Alan Wilson, helped reverse the language.

Particularly, Haley and Wilson filed suit against the U.S. Department of Energy. The suit was eventually dropped after Energy Secretary Ernest Moniz promised to keep construction going through the end of the fiscal year.

U.S. Rep. Joe Wilson, R-S.C. also lauded the efforts of the MOX employees. The program employs about 2,000 workers.

"We know firsthand the value of MOX and its importance to our national security and environmental clean-up missions," Wilson said.

U.S. House includes cleanup funding for Piketon plant in

appropriations bill

The News Watchman

December 16, 2015

[LINK](#)

Federal funding for decontamination and decommissioning at the Portsmouth Gaseous Diffusion Plant at Piketon as well as funding for the American Centrifuge Project (ACP) has been included in the U.S. House of Representative's Omnibus Appropriations bill for the remainder of fiscal year 2016, it was announced on Wednesday.

According to the Office of U.S. Congressman Brad Wenstrup (R-OH-2nd District), the legislation is expected to pass Congress over the next few days and be signed into law by President Barack Obama.

“This funding is important to continue the important operations in Piketon, Ohio, and the Ohio delegation worked continuously to ensure it was sustained through 2016,” Wenstrup said. “We must clean up the site for future economic development and continue the only American-owned uranium enrichment project in the nation. The support and advocacy from our southern Ohio communities and leaders has been critical in highlighting the crucial nature of continued funding.”

Wenstrup said that he hopes the Obama Administration and the U.S. Department of Energy (DOE) will follow this lead and dedicated the needed resources to continue operations.

“Workers at the Piketon Plant have dedicated their lives to cleaning and restoring this site for future use,” stated Senator Sherrod Brown (D-OH). “This bill protects jobs at Piketon, giving workers and their families needed peace of mind and ensures that their important work can continue.

"Ongoing cleanup at the site is critical to southern Ohio's economy now and in the future. Moving forward, we can accelerate that progress by seeking greater funding for these operations and making sure Piketon and its workers don't experience ongoing uncertainty about the plant's future."

In August, DOE announced that a budget shortfall in fiscal year 2016 appropriations for the decontamination and decommissioning project at Piketon would result in layoffs at the facility. A continuing resolution passed by Congress allowed funding to continue for the project through Dec. 11.

In September, DOE announced that it would be ending the American Centrifuge Test Demonstration and Operation (ACTDO) contract at Piketon (a separate project from the decontamination and decommissioning project at the former Portsmouth Gaseous Diffusion Plant).

In a conference call on Wednesday, Brown indicated that DOE has some flexibility with the ACP funding but seemed optimistic that the project will remain in Piketon.

"The funding in the omnibus will ensure current workforce levels at Piketon," Brown stated. "It gives DOE the authority to fund the project. It's our case to make the case for why DOE should fund it, so we will continue to work with the delegation to make sure that DOE honors its commitment to the American Centrifuge Project."

Brown indicated that he and other members of the Ohio Congressional delegation have learned how to work with DOE to secure funding.

"Most importantly, the workers in southern Ohio — at ACP and the cleanup in Piketon — the workers have proven their worth, and the Congressional delegation — all of us together in both parties — have been able to prove to DOE that this is where these (projects) belong — that the cleanup is essential and is our responsibility and obligation and that ACP makes most sense where it is in Ohio, and we will continue to make that case," Brown said.

Centrus Energy Corp., which has worked with DOE to develop, build and demonstrate the cascade of centrifuges at Piketon, released a statement on Wednesday announcing that the Omnibus Appropriations legislation under consideration by Congress authorizes a total of \$100 million in continued funding to DOE "to maintain and advance American leadership in uranium enrichment technology."

According to Centrus, "this includes \$50 million in direct appropriations, which the Department had previously stated it would use to support critical centrifuge research and testing at Centrus' facilities in Oak Ridge, Tennessee. The legislation also authorizes the Department to continue operating America's only industrial-scale cascade of advanced centrifuges — located in Piketon, Ohio — by providing authority to use an additional \$50 million from other accounts in the Department's budget."

"This legislation reflects a broad, bipartisan consensus about the need for a domestic uranium enrichment technology," said Centrus President and Chief Executive Officer Daniel B. Poneman.

"Centrus looks forward to continuing the essential work we are doing to support America's national security and is grateful to the Members and staff from both parties and both houses of Congress who have helped advance this funding through this legislation in support of the President's budget."

"The research and testing capability in our Tennessee facilities help define solutions that are validated at cascade scale at our Ohio facility — which houses America's only operating cascade of advanced centrifuges," said Steve Penrod, Centrus' vice president for American Centrifuge. "We have presented a number of alternatives that would assure taxpayers continued benefits from Piketon, and we hope that the Department acts quickly to use this additional funding authority. We need to arrive at a decision as soon as possible so that we can avoid dismantling a critical national security capability and complete the important work that remains to be done there."

The release from Centrus also states, however, that "absent a decision to utilize the newly-passed reprogramming authority, Centrus will need to begin demobilization of the centrifuge activities at Piketon early next year, including dismantling the centrifuge cascade and implementing workforce reductions."

Budget package will send millions to Oak Ridge

Knox News

December 16, 2015

[LINK](#)

WASHINGTON — The federal budget agreement that congressional leaders reached Tuesday night contains millions of dollars for highway and infrastructure projects in Tennessee, including several projects that will benefit Oak Ridge National Laboratory.

"The bill provides a record level of funding for basic research at the Office of Science, and it increases funding for deepening our ports and improving our inland waterways," said U.S. Sen. Lamar Alexander, R-Tenn., chairman of the Senate Appropriations Subcommittee on Energy and Water Development.

The measure also funds cleanup of hazardous materials at Cold

War facilities like Oak Ridge.

Congress is set to approve the massive spending bill later this week — either Thursday or Friday — before heading home for the holidays. The measure, which will fund the federal government through 2016, includes an energy and water development spending bill written by Alexander and U.S. Sen. Dianne Feinstein, D-Calif.

The bill provides \$1.24 billion for advanced computing, including the U.S. Department of Energy's Office of Science and the National Nuclear Security Administration. The Office of Science's program that supports the new Summit supercomputer at Oak Ridge is funded at \$621 million. No dollar amount is specified for the Oak Ridge lab, but an explanatory statement accompanying the package calls for \$104 million for Oak Ridge.

Oak Ridge also will receive \$30 million for nuclear infrastructure, including hot cells and isotope production facilities. Another \$9.4 million will go to the lab for a new mercury treatment facility to clean up nuclear facilities no longer in service. An additional \$20 million will go toward additive manufacturing technologies at the lab's Manufacturing Demonstration Facility.

The bill also provides \$6 million to preserve the historic contributions the K-25 site made to the Manhattan Project. K-25 is a former uranium enrichment facility in Oak Ridge.

The bill includes \$430 million in funding for the proposed multibillion-dollar Uranium Processing Facility at the Y-12 National Security Complex. That's the funding level requested by the Obama administration and is a significant jump from the current year's spending level of \$335 million. The funding will keep the project on time and on budget, Alexander's office said.

The spending bill also provides \$29 million in funding for the U.S. Army Corps of Engineers to continue work on the replacement of Chickamauga Lock. The project ran out of funding three years ago, but got \$3 million last year to help plan for construction work to resume.

AG Asks Court to Hold Feds Accountable in Hanford Cleanup Lawsuit

NBC Right Now

December 15, 2015

[LINK](#)

SEATTLE, WA — Attorney General Bob Ferguson and the U.S. Department of Energy have filed what is expected to be the final round of materials in Washington’s lawsuit regarding the cleanup of nuclear waste at the Hanford Nuclear Reservation and sent out the following release:

After a U.S. District Court judge agreed with several key arguments from the Attorney General’s Office in August, both parties submitted updated proposals in November to comply with the judge’s ruling. Yesterday’s filings represent the parties’ responses to those proposals.

The court will now consider the proposals, assisted by a three-person advisory panel that will provide guidance on technical and scientific matters.

Washington’s updated plan includes specific milestones and reporting requirements to ensure Energy stays on track with its cleanup obligations. In contrast, Energy’s proposal extends its existing deadlines by years and would provide the agency sweeping authority to unilaterally decide when deadlines need to be kicked further back or even, in some circumstances, whether compliance is required at all.

“Our plan provides a clear path forward for Energy to finally uphold its responsibilities at Hanford,” Ferguson said. “I am deeply concerned by Energy’s proposal to extend deadlines yet again. My office is fighting to ensure Washingtonians get a legally enforceable agreement that protects our environment and holds Energy accountable.”

The lawsuit’s origins stem from 2008 when then-Attorney General Rob McKenna filed suit against Energy after the federal agency missed numerous deadlines imposed by Hanford’s Tri-Party Agreement, an administrative order guiding the cleanup at Hanford.

That lawsuit was settled when the parties agreed to the judicially enforced order, called a “consent decree,” to govern the retrieval of a significant portion of Hanford’s tank wastes, as well as set firm deadlines for construction of a waste treatment plant to treat those and other remaining tank wastes.

After Energy again failed to live up to its obligations under the

consent decree, Ferguson, in partnership with the Washington Department of Ecology, filed the current lawsuit against Energy in October 2014 to enforce the decree. While the state agrees that some additional time is needed to address safety issues at the waste treatment plant, the state disagrees with Energy's attempt to bump schedules even further and eliminate firm deadlines from the decree.

The court has largely agreed. In a ruling issued Aug. 13, U.S. District Court for the Eastern District of Washington Chief Judge Rosanna Malouf Peterson agreed with the state that Energy needs enforceable deadlines and greater accountability measures in its cleanup work. Judge Peterson's order also called for Energy to construct additional double-shell tanks to accomplish waste retrievals from potentially leaking single shell tanks if it is unable to meet certain retrieval milestones.

In all, Hanford houses approximately 56 million gallons of radioactive and chemical waste in 177 temporary underground holding tanks at the center of the Hanford site. Energy's substandard efforts to retrieve, treat, and ultimately safely dispose of this waste — the subject of years of delay — are at the heart of the state's lawsuit.

With regard to the Waste Treatment Plant, Judge Peterson's August ruling rejected Energy's lack of specific milestones to get waste treatment back on track. Washington's updated proposal contains 35 specific milestones to address the resolution of technical issues, redesign of the process, completion of construction, testing, and ultimate operations of the full plant.

Washington proposes that the plant demonstrate its real-world ability to treat wastes in 2032 with operations beginning in 2034.

These milestones will ensure that Energy has the time necessary to address the technical issues associated with the waste treatment plant, while providing the detailed progress measures necessary to track Energy's progress and ensure it remains on track. There is no set timeline for the court to issue a final decision.

Will Hanford's Big Clean-Up Ever Begin?

Seattle News

December 15, 2015

[LINK](#)

In the summer of 2010, Walt Tamosaitis was facing a deadline

crunch.

The pressure was high at the federal Hanford nuclear reservation where Tamosaitis worked for Bechtel, a project-management company that the federal government had contracted to help clean up what is arguably the most chemically and radiologically contaminated chunk of land in the Western Hemisphere.

His team was charged with designing a “pretreatment plant,” part of a glassification facility that would dispose of the waste created at Hanford from 1943 to 1989, when the federal government irradiated uranium rods inside nine reactors there to create the plutonium used in the country’s nuclear arsenal. The plant is where the sludges and liquid waste that resulted from the manufacture of that plutonium would be prepared for transport to two next-door facilities where they would be converted into immense, and entirely benign, glass logs that would trap the radiation for at least 10,000 years.

The plant’s design, though, had problems. There was a risk of hydrogen gas explosions that would bend and burst pipes inside the plant, resulting in a spray of radioactive fluids. That would be bad.

And so would radioactive sludges clogging the plant’s innards, and uncontrollable bursts of radiation in those innards. And even if all those hazards were avoided, corrosion likely would cause leaks in the plant’s 38 mixing tanks, plus all the pipes.

As he and his team attempted to solve these problems by a June 30, 2010, deadline, 56 million gallons of highly radioactive liquids, sludges, and crusts sat inside 149 huge single-shell and 28 newer, supposedly safer, double-shell tanks. At that point at least 67 single-shell tanks had leaked at least one million gallons of radioactive liquids into the ground, where they had been slowly seeping toward the nearby Columbia River. (Later, in 2013, one double-shell tank would spring a leak in its inner shell; and in 2014, the Government Accountability Office would report that another 12 double-shell tanks could spring leaks in the near future.) While the Columbia River’s volume had been able to dilute the radionuclides that had already reached the river, a big question mark loomed over whether more massive volumes of more potent radioactive fluids might also hit it.

The clock was ticking. And yet, as Tamosaitis would soon realize, the deadline that he faced was less about the existential threat posed by radioactive contamination within the plant than about

dollars in his employer's bank account. Five million, to be exact.

If the design problems were fixed by June 30, 2010, the feds would pay that amount as a bonus to Bechtel National Inc. and its chief subcontractor, URS Corp. But there was a problem: Tamosaitis, the head of the chemical-engineering team in charge of fixing those design problems, said the design fix-it measures could not be ready by the deadline.

He argued for several months leading up to the deadline that too many of the flaws in the designs had not been addressed. His bosses downplayed those concerns. According to a 2011 lawsuit filed in federal court by Tamosaitis, the URS assistant manager for the Hanford glassification project, William Gay, said several times in early 2010 that not meeting the June deadline could hurt careers and compensations. "On one or more occasions," Tamosaitis' lawsuit claimed, "Gay stated, 'If this doesn't close, I'll be selling Amway in Tijuana.'"

On July 1, 2010, Bechtel and URS declared that the design problems were fixed. The Department of Energy agreed. The next day, Tamosaitis was told to turn in his security badge, cell phone, and Blackberry—and leave the Hanford site.

Meanwhile, DOE paid the \$5 million to Bechtel and URS. URS reassigned Tamosaitis. According to the 2011 lawsuit, which argued that the engineer was due an unspecified dollar amount because of the retaliation, URS officials told Tamosaitis in mid-July that Bechtel and DOE wanted him removed. He was moved to a minor procurement job buying material and equipment in a basement in a Richland building about 15 miles from the glassification plant site in central Hanford. There he shared a room with two copying machines and was given "little or no meaningful work," the lawsuit alleged.

But as Tamosaitis toiled away in that basement, a funny thing happened. His concerns about the plant began to spread. In 2011, the Defense Nuclear Facilities Safety Board came to a similar conclusion about flaws in the pretreatment plant's design. A year later, the General Accounting Office—the investigative arm of Congress—issued a report that echoed his worries.

Then, in August of this year, at the same time that URS was settling with a by-then-retired Tamosaitis for \$4.1 million, the Department of Energy announced that the glassification plant would not meet its on-line target of 2022.

The irony is that DOE's reasons to delay the glassification project are so familiar—unsolved design problems concerning flammable hydrogen gases, radiation bursts, corrosion, and clogging that can wreck the pretreatment plant's interior. They are the same ones cited by Tamosaitis in 2010, the ones that got him exiled for apparently endangering the contractor's \$5 million bonus for supposedly solving those same problems.

"I would hope with the visibility of my case that someone would hold their feet to the fire and make them belly up to the bar and take care of" the design flaws in a timely manner, Tamosaitis said in August.

If the past is prologue, that is highly unlikely.

The story of Tamosaitis' unheralded warnings is not the exception in the ongoing struggle to contain Hanford's waste. Rather, this episode is just the latest in a litany of setbacks that has put the project over budget and off schedule again and again.

Officially, the reasons are that this is a first-of-its-kind project with difficult-to-perfect new technology.

In reality, the glassification project—like most of Hanford—resembles a giant Dilbert comic book.

The culture is the culprit. There are immense corporate and social pressures to look good now and hope someone else is in charge when things go wrong later. These pressures include high turnover in upper management, bonuses to corporations, individual career advancement, and retaliation against those who rock the boat at inconvenient times.

This culture dates back to 1989 when Hanford was ceasing its plutonium development operations. At that time the U.S.

Department of Energy, the U.S. Environmental Protection Agency, and the Washington Department of Ecology made a pact, dubbed the Tri-Party Agreement, that was to set the path for all Hanford's cleanup obligations.

The master plan at the center of that pact involves a complex that includes "a pretreatment plant" that would convert the tank wastes so it can be sent to one of two melters—one for highly radioactive wastes, one for less-radioactive wastes. By 2047, according to the

pact, all 56 million gallons of nuclear wastes would be converted into glass. The complex came with a \$4 billion estimate to build and to be operating by 1999. Then the startup dates drifted back: first to 2007, then 2011, then 2019.

Now the state and DOE are litigating and negotiating a revised schedule based on a 2008 state lawsuit on missed legal deadlines and a 2010 “consent decree,” a negotiated agreement on that lawsuit that set the 2019 and 2022 deadlines. This timetable issue is still in federal court. However, the state and DOE have both acknowledged the 2019 and 2022 deadlines are not feasible. “Since the 2010 settlement was finalized, Washington has not seen evidence that Energy has taken the necessary steps to do everything within its power to meet the legal obligations contained in the consent decree and [the 1989 legal pact],” said a March 2014 letter from the Washington Attorney General’s Office to the U.S. Department of Justice, which is representing DOE. “We have not seen evidence of Energy exercising reasonable diligence to identify and respond to technical issues, performing effective project management, exercising strong oversight of its contractors, or seeking sufficient funds or reprogramming funds to meet its obligations.”

The state has proposed a new deadline to have the glassification plant fully functional by 2028.

The DOE has not signed on to the 2028 date, but is proposing a limited startup in 2022 involving an extra second pretreatment plant that can handle limited amounts for a quickly built low-level-radioactive-waste glassification facility. The DOE also wants to remove deadlines for finishing the main pretreatment plant and for the high-level-radioactive-waste glassification facility. DOE’s reasons are that it cannot say when certain technical issues—the ones cited by Tamosaitis in 2010—will be resolved. When those are resolved, DOE will then be willing to set most of the new deadlines.

In a written statement, DOE said the “staggered approach” would lead to the relatively quicker glassification of the low-level wastes, getting the project actually working early in the next decade, while the technical issues can be resolved simultaneously.

“As design and construction progress, so does our understanding of the very complex issues we are addressing,” Bechtel said in a written statement prepared in response to questions that Seattle Weekly sent to Bechtel and DOE.

So far the budget for the glassification plant has officially grown to \$12.3 billion, with the caveat that this price tag won't glassify all 56 million gallons of wastes. In fact, the plant as currently designed will glassify all the high-level wastes, but only a third of the low-level wastes, by 2047, said the state, DOE, and Bechtel. Extra low-level-waste glassification equipment might be needed in order to make the final 2047 deadline, or that deadline might have to be extended, state officials have speculated.

The federal government has spent \$19 billion since 1989 to both take care of Hanford's tank wastes and to build a glassification complex—with no wastes converted yet into a safe form, said a 2015 General Accounting Office report.

That number is likely to grow. A December 2012 General Accounting Office report concluded that DOE and its contractors still don't have a grip on the costs. That 2012 GAO report put the price tag at \$13.4 billion—more than \$1 billion higher than DOE's current estimate—“and significant additional cost increases and schedule delays are likely to occur because DOE has not fully resolved the technical challenges faced by the project.”

The GAO report said DOE has told Bechtel to put together a new budget and timetable for the glassification project, including possible changes to the complex's designs. “These alternatives could add billions of dollars to the cost of treating the waste and prolong the overall waste-treatment mission,” the GAO report said. In a written statement, Bechtel said it has done that updating work for the low-level-waste glassification plant and many auxiliary facilities. But despite DOE's December 2012 reply to the GAO, Bechtel said DOE has not yet asked for a new budget and timetable for the high-level-waste glassification facility and for the pretreatment plant.

Meanwhile, critics argue that major mistakes are not met with enough financial punishment to get the project back on track. DOE has not penalized Bechtel for cost increases and delays that have appeared after the original deadlines were supposedly met, even though that has been a pattern at the glassification project, the GAO report said.

“Do I think this is the pinnacle of project management? No,” said Jane Hedges, manager of the Washington Department of Ecology's nuclear-waste program.

No doubt many problems arise from the fact that the Hanford project is one of the world's most complicated nuclear-waste projects in terms of volumes and complexities of the wastes. Yet observers point to other factors causing delays and overruns: project management problems, frequent turnover in the top brass, and a culture that wants to ignore major troubles.

In both Richland and Washington, D.C., top DOE officials spend radically less of their careers on planning and leading Hanford's cleanup than the middle managers and rank-and-file employees doing the actual work. At the top levels, the routine is to spend two to four years on the job and then move on to something else—adding a few lines to a resume before seeking a new post.

Pressured by then-U.S. Rep. Doc Hastings (R-Pasco), the Department of Energy in 1999 set up a specific agency—the Office of River Protection in Richland—to deal solely with the tank wastes and building the glassification complex. Since 1999, that DOE agency has had nine permanent and interim chief managers—by rough average, a new federal boss in Richland for the glassification project every 18 months.

In a written statement, the Office of River Protection said it has maintained a good management team at Hanford despite the changes. “The current [DOE] manager [Kevin Smith], who has been at Hanford since late 2012, is a highly experienced leader, with the right skills to lead tank farm operations and [glassification-plant] construction,” the statement said.

Critics argue that the waste-glassification plant is being designed and built in a culture that rewards an alternating combination of speed and delays.

That scenario unfolds like this: Contractors sacrifice quality and safety to make deadlines in order to get full bonus payments from DOE, dubbed “award fees.” Then the improperly completed work leads to delays, which lead to renegotiating deadlines and fees that send more money to the contractors' coffers as time drags on.

Meanwhile, the rapid turnover in high-ranking DOE and contractor officials means the top leaders will have moved to better jobs elsewhere by the time their earlier decisions actually backfire. “Bechtel knows how to slow-walk a schedule to make the most money,” Tamosaitis told Seattle Weekly. “If something fouls up, you've got to pay them more to fix it.”

Bechtel disputed that contention in writing: “This is false. In fact, safety is the overriding element in everything we do. And we are good stewards of taxpayer dollars as we build a one-of-a-kind facility. . . . When it comes to safety, we have created an environment where our employees can work safely today and where they can design a plant that will operate safely and efficiently.”

However, others agree with Tamosaitis.

“There is no penalty for a contractor being wrong,” said Donna Busche, a former URS safety official, in a 2012 interview with Crosscut. She could not be reached for comment for this story.

“DOE has experienced continuing problems overseeing its contractor’s activities,” a 2013 GAO report said. “For example, DOE’s incentives and management controls are inadequate for ensuring effective project management, and GAO found instances where DOE prematurely rewarded the contractor for resolving technical issues and completing work.”

Besides Bechtel and URS getting a \$5 million bonus in 2010 for supposedly fixing engineering design problems that still exist today, the contractors also received a \$30 million federal bonus for installation work inside the glassification pretreatment building in 2004.

However, Bechtel couldn’t prove the welding was done properly on the pipes and tanks within that building—a facility whose interior will eventually become so radioactive that humans will not be able to enter it even with protective clothes, according to a 2012 DOE Inspector General report. Such an area is known as a “black cell.”

“The importance of black cells and hard-to-reach components cannot be overstated,” the IG report said. “Premature failure of these components could potentially impact safety, contaminate large portions of a multibillion-dollar facility, and interrupt waste processing for an unknown period of time.”

The lack of welding records did not become apparent until 2010, the DOE Inspector General’s report said. DOE asked Bechtel to return \$15 million of that \$30 million bonus. The 2012 DOE Inspector General report said there was no record of that \$15 million being repaid, and it criticized DOE for not aggressively trying to get the money back.

In its written response to the Inspector General, DOE confirmed that the \$15 million hadn't been repaid. The reason the agency gave was an updated contract in 2009 declaring that all fee disputes up to that time were resolved.

Meanwhile, Bechtel is also slow in identifying problems and keeping tight financial grips on subcontractors and equipment vendors, said a DOE Inspector General report dated Nov. 17, 2015.

The report looked at 1,365 cases in which Bechtel determined that products from vendors did not meet specifications, and found that 44 percent of those cases took two years or more after delivery to identify. One case involved a tank delivered in 2004 to use in the glassification plant's black cells. It took seven years before Bechtel found out it did not meet the 2004 specifications, the report said. Also, Bechtel did not find out for nine years until 2013 that another major piece of black-cell equipment delivered in 2004 did not meet the original specifications.

The report also criticized Bechtel for not aggressively seeking financial penalties and fighting cost overruns pertaining to that defective equipment. In its response to the November IG report, Bechtel agreed with the findings and said it would work on fixing the quality-control problems.

Another cultural problem haunts the glassification project. Tamosaitis pointed to the common practice of DOE officials frequently moving to higher-paying jobs with the contractors. "It's a back-scratching system," he said. DOE denied that this "back-scratching" scenario occurs.

Critics contend all these pressures have created a culture that encourages turning a blind eye to bad news. For almost 30 years, Hanford officials have had a checkered history of retaliating against managers and employees who bring up inconvenient concerns.

In 1988, Mike Lawrence, DOE's manager for Hanford's nuclear cleanup operations, wrote to a whistleblower: "I do not condone any form of harassment or retaliation by either the contractor or the DOE representatives."

However, not all managers have been so open to criticism. At the beginning of this decade, a new surge of frustrated middle managers emerged at the glassification project. There was Tamosaitis in 2010; another was Busche, then the manager for

environmental and nuclear safety at URS. Her job was to anticipate and prevent nuclear safety problems at the glassification project.

She filed a Labor Department complaint in late 2011 against Bechtel and URS, alleging the two companies were trying to remove her from her post in retaliation for pushing inconvenient safety concerns.

Like Tamosaitis, Busche contended that pressure to meet design and construction deadlines had outweighed concern for equipment safety on the project. “Beginning in 2010, [URS’ and Bechtel’s] focus moved away from nuclear and environmental safety compliance and toward meeting deadlines regardless of the quality of the work,” Busche’s 2011 complaint stated. “In this atmosphere, Ms. Busche was viewed as a roadblock to meeting deadlines, rather than a valuable check against noncompliance, and managers sought ways to retaliate and to circumvent her efficacy.”

On Oct. 7 and 8, 2010, the Defense Nuclear Facilities Safety Board—the Washington, D.C. federal advisory body that double-checks DOE’s cleanup plans—held a packed public meeting in Kennewick to quiz state, DOE, and contractor officials about the the glassification project. The DOE officials included Ines Triay, DOE’s nationwide cleanup czar until July 2011.

Busche helped write some of the responses for the DOE, Bechtel, and URS officials who testified. But when two of her superiors changed some of her information, she refused to sign the formal response document, forcing them to revert to her original wording.

Also at that hearing, Busche gave the defense board a different technical answer than DOE officials did on the physics of aerosol particles dispersing and falling to the ground, which affects how escaped radioactive particles fly through the air. That angered Triay enough that afterward she chewed out Busche in a room filled with 50 URS employees, declaring that if Busche’s “intent was to piss people off [with her testimony, she] did a very good job,” according to Busche’s Labor Department complaint.

On Oct. 8, 2010, according to Busche’s complaint, three high-ranking contractor officials—Frank Russo, Bechtel’s glassification project manager; Leo Sain, a senior URS vice president; and William Gay, the URS assistant project manager—approached Busche one by one to ask if she would be willing to change her answer on the aerosol-dispersion matter. “She understood their questions to imply she should recant her earlier testimony,”

Busche's complaint said. She refused.

Later, in January 2011, another of Busche's supervisors, Mike Coyle, told her "to stop putting technical and safety issues in writing to him, and to instead come to him in person with these issues, so as to avoid making a written record," her 2011 complaint read. In a 2012 interview, Busche said she believed this was to eliminate paper trails for future potential problems.

Busche was deposed in May 2011 during the Tamosaitis case, and identified many of his technical concerns as valid. Then in October 2011, Busche's superiors gave her a "corrective action letter" for having one of her people run an errand for her while that employee was on a lunch break. She believes the letter was the start of a paperwork trail to terminate her. According to her complaint, another supervisor told Busche that "people want her fired."

"URS and [Bechtel] are currently engaged in retaliatory efforts in order to remove Ms. Busche from her assignment at URS," her 2011 complaint alleged.

Busche's case is still in litigation.

"This is the message sent to every ethical competent engineer. Everything goes forward because of the political pressures," said Tom Carpenter, executive director of Hanford Challenge, a longtime Hanford watchdog organization that has handled whistleblower issues there since the 1980s. "It's still a system that rejects any criticism, any dissent."

Another issue plaguing the project is the fact that Bechtel is both the "design agency" and the "design authority" for the glassification project.

In English, that means Bechtel is in charge of designing the glassification complex and of approving those designs. Tamosaitis believes that this is a massive flaw in managing Hanford's glassification project, in that there are no checks and balances to ensure its designs are the best for the nation's taxpayers rather than for the corporation.

A 2012 memorandum sent by Dale Brunson, DOE's Hanford glassification engineering division director, to Scott Samuelson, the eighth of the DOE Office of River Protection's nine head managers since 1999, echoes that concern. In that memo, Brunson complained that Bechtel's designs and solutions were sometimes

factually incorrect, had technical flaws, didn't address safety problems, cost more in the long run than other options, and had solutions that were difficult to verify. Some designs did not lead to safe equipment that functions as intended in the field, the memo said.

"Repair and rework of these non-compliant designs are leading to significant costs and schedule impacts . . . They illustrate the general behavior and performance of the [Bechtel] engineering organization acting as the [glassification complex's] design authority and design agent," Brunson wrote.

Occasional criticism has popped up that so much time and money have been sunk into the glassification project that changing to a more efficient course is difficult. For example, see the DOE's proposal to speed up work by building a second pretreatment plant to resolve its consent-decree dispute with the state. Under Hanford's current master plan, one pretreatment plant—the one involved in the Tamosaitis litigation—would separate tank wastes into highly radioactive and less-radioactive materials in preparation to send them to one of two neighboring melting facilities, each designed to convert specifically the high-level or the low-level materials into the glass cylinders. DOE is proposing to build a second pretreatment plant that would prepare wastes already classified as containing solely low levels of radioactivity.

The idea is to build the low-level pretreatment plant and the low-level glassifying facility quickly—and begin converting some wastes into glass while Hanford wrestles with designing and building the more complicated main pretreatment plant and the high-level glassifying facility.

But a May 2015 GAO report notes that the DOE estimates the low-level-waste pretreatment facility and its auxiliary equipment would likely take six to eight years to build, and cost an extra \$1 billion.

And an eight-year period would mean that glassification would ramp up in 2023—one year behind the current deadline. However, that GAO report also contends that some extra needed construction has been left out of that \$1 billion estimate. Also, unresolved design issues based on out-of-date approaches make that timetable and cost estimate unreliable, the 2015 GAO report argues.

Meanwhile, another twist recently surfaced that could affect the speed of constructing Hanford's glassification complex. Since 1995, DOE has had a permanent group of academics to advise it on

nuclear cleanup matters. As requested by Congress' fiscal 2014–15 budget legislation, the group did a study and then released a report in August that included a recommendation that DOE approach Congress for legislation to make its nuclear-cleanup decisions across the nation exempt from state government lawsuits and consent decrees. This would affect the consent-decree dispute that Washington and DOE are having over Hanford's tank wastes.

The advisory group's rationale is that DOE does not have enough money to meet all its nationwide nuclear-cleanup obligations on time, and that the various cleanup agreements the DOE signed many years ago with several states are based on outdated information. Those obligations include major Cold War nuclear sites such as Idaho Falls; Savannah River, S.C.; Oak Ridge, Tenn.; and others. The group recommended that DOE set up a committee of experts to map out DOE's nationwide cleanup priorities independently of its legal agreements.

That prompted an August 27 letter from Govs. Jay Inslee and Oregon's Kate Brown to the U.S. House and Senate subcommittees that handle nuclear-cleanup allocations. That letter argued that the advisory group's recommendation would eliminate all of Washington's, Oregon's, and other states' legal abilities to enforce DOE's lapsed cleanup obligations in court.

In its last several annual nationwide budget requests to Congress, the Obama administration has usually requested less than what is needed to meet the federal government's legal obligation to states with nuclear-cleanup projects—mostly because of numerous federal agencies fighting over a limited amount of money, according to the staff of Sen. Patty Murray. Then Murray, Sen. Maria Cantwell, and Congressional members from other states with nuclear-cleanup sites have fought to increase that budget to try to meet all of DOE's cleanup obligations, observers said.

An extra wrinkle is the fiscal 2012–13 sequestration legislation, in which Congress made across-the-board cuts, including money headed to Hanford's tank-waste projects. That put the tank-waste projects into deeper financial holes from which they are still trying to recover, said state and federal officials.

While Hanford Challenge's Carpenter agrees Hanford's tank-waste projects have been underfunded, he also contended that is not their top problem: "It's not a matter of the money, but how the money is being spent."

Locals react to report on Savannah River Site, DOE workers harmed by radiation

Aiken Standard

December 15, 2015

[LINK](#)

A recent report that confirmed at least 33,480 deaths as a result of seven decades of “atomic weaponry” dating back to the Cold War era uses misleading, sensationalized numbers, according to Department of Energy veterans.

McClatchy’s Washington Bureau released a comprehensive report Friday highlighting 107,394 Americans, who the publication said have been diagnosed with cancers and other diseases after building the nation’s nuclear stockpile over the past seven decades.

That legacy includes the construction of the Savannah River Site, formerly known as the Savannah River Plant, in Aiken County.

The site, which celebrated its 65th anniversary this year, was built after late President Harry Truman picked Ellenton, South Carolina, as a location to produce nuclear materials suitable to make bombs to compete with Russia in the Cold War.

The effort, while preventing a serious war, left its own legacy, including nearly 40 million gallons of highly radioactive nuclear waste stored in aging tanks at the site.

The McClatchy report tells multiple stories of deceased and living nuclear plant workers who have been negatively impacted by their livelihood.

Locally, reporters interviewed George Anderson, a former worker who died Nov. 5 after finding out in 2008 he had a type of cancer called multiple myeloma. Anderson worked at SRS for 17 years before retiring in 1998, according to McClatchy.

Anderson resided in Augusta and had to rely on “Jesus and morphine” after being unable to get benefits from the federal government — a feat 54,005 other workers were unable to accomplish as well, according to McClatchy.

Overall, McClatchy reported that it conducted more than 100 interviews and analyzed more than 70 million records to retrieve data for the report.

The report also included that more than \$12 billion has been paid by taxpayers to provide medical benefits for more than 53,000 workers. In addition, more than 186,000 workers have been exposed since 2001, according to McClatchy.

“The accounts of workers, experts, activists and government officials reveal an unprecedented glimpse of the costs of war and the risks of a strong defense,” McClatchy wrote.

Problems with the numbers

Mike Johnson, the executive director of Citizens for Nuclear Technology Awareness, said the McClatchy report attempts to associate every disease encountered by the population who worked in the DOE complex with that work.

As a Cold War Warrior, and a 20-plus year veteran of cleaning up in the DOE complex, Johnson said he shares in the empathy for the Cold War Patriots whose stories are mentioned in the article.

“Processing by the compensation program should be fairly and equitably performed, and in a timely fashion,” Johnson said.

That said, Johnson believes that the numbers are misleading because many of the same workers are counted year after year as being exposed, rather than reporting only new cases of exposure.

Countering the information in the McClatchy report, Johnson provided DOE statistics, which further shows fewer workers are treated each year as a result of exposure, indicating safety regulations and procedures are doing a better job of protecting workers.

Worker compensation, safety

John Veldman, a DOE retiree who serves as chairman of the SRS Retiree Association, said worker safety was always a primary concern; however, DOE has learned more about the health effects of worker exposure throughout the years.

As a result, better protective techniques and lower exposure limits were developed, Veldman said.

“Today’s workers benefit from this improved knowledge, and normal exposures are tightly controlled. DOE and the current

contractors are dedicated to the protection of workers from exposure,” Veldman said.

The SRS Retiree Association Resource Center serves as a middleman to help the retirees get their benefits through the Department of Labor.

Specifically, the program is the Energy Employees Occupational Illness Compensation Program Act, or EEOICPA. Only medical costs related to the specific diagnosis that was the basis for acceptance into the program are covered, Veldman said.

The process can still be complicated for some workers depending on which years they worked for DOE; but local groups, such as the Retirees Association and the Cold War Patriots, work to help impacted workers retrieve their benefits.

DOE spokesperson Joshunda Sanders reported there are established measures in place to prevent injury and threats, including protective dose limits and dose exposure constraints.

“DOE evaluates overexposures under its Accident Investigation Program and ensures corrective actions are put in place to prevent future incidents,” Sanders said.

Bill grants full Piketon cleanup funding

Chillicothe Gazette

December

[LINK](#)

PIKETON - While employees involved with cleanup work at the former Portsmouth Gaseous Diffusion Plant in Piketon can now breathe their collective annual sigh of relief, American Centrifuge Plant workers remain in a holding pattern waiting to see what the Department of Energy will do with its uranium enrichment money.

Members of Ohio's congressional delegation Wednesday hailed agreement on a 2016 omnibus spending bill that, if passed by Congress and signed by President Barack Obama, would fully fund decontamination and decommissioning work at the DOE site in Piketon. The bill contains \$203 million for the cleanup and another \$21 million toward construction of an on-site, low-level waste disposal cell that is expected to result in savings for the project by reducing the expense of shipping lightly contaminated waste off site.

Officials with Fluor-BWXT, the lead site contract for the cleanup work, expressed appreciation for the work of Ohio's congressional delegation in securing the 2016 funding.

"We haven't seen the actual language in the bill (as of Wednesday afternoon), but based on Sen. (Sherrod) Brown's announcement, we expect full support with this legislation and want to thank Sens. Brown and (Rob) Portman and Ohio lawmakers, including (Bill) Johnson, (Brad) Wenstrup and the other Ohio representatives, for having the confidence in our workforce to support this project," said Dennis Carr, site project director. "We'll make sure the cleanup moves forward safely and appropriately."

Both Brown and Portman said they are pleased funding could be secured for the cleanup and expressed hope for more consistent funding moving forward.

Portman's office noted that \$50 million was also included in the bill for domestic uranium enrichment activities, with another \$50 million in transfer authority available. Spending of that funding, which could help keep operations at the American Centrifuge Plant in Piketon going, is at the Department of Energy's discretion.

Should the DOE elect to continue along its present course of defunding the Centrifuge and shifting resources for continuing development of the centrifuge technology to a facility in Oak Ridge, Tennessee, it has the authority to do so.

Since its contract with DOE expired Sept. 30, Centrus Energy has been footing the bill to keep Centrifuge operations going without job losses while efforts have been made to change the minds of those at DOE. An all-hands meeting of Centrifuge employees was conducted in Piketon Wednesday afternoon, after which American Centrifuge Vice President Steve Penrod sent a memo to all employees reiterating the risk that still exists and the hope that a change will occur.

"We are pleased with the outcome of this legislation, but the decision now rests with the Department of Energy on whether to exercise their authority to preserve the important capabilities and workforce in Piketon," the memo reads. "In the absence of a commitment from the Department (of Energy), we will need to begin demobilizing Piketon early next year. Obviously, we are doing everything we can to avoid that outcome, and will urge that the Department move quickly to restore the funding so that the

important work in Piketon can go forward with no further uncertainty."

Penrod closes the memo saying that regardless of the outcome, he is proud of how the Centrifuge workforce has performed and that their work is important.

WARN notices of pending layoffs sent to Centrifuge employees in mid-November stated that layoffs could begin around Jan. 11 if conditions did not change. A spokesperson for Centrus Energy confirmed Wednesday the terms of those WARN notices remain in effect at the moment.

Brown, on a conference call with reporters Wednesday afternoon, expressed confidence that past experience working with DOE to preserve funding for projects will translate to a successful outcome for the American Centrifuge.

"We've learned how to work with DOE, we've learned how to get this funding, and most importantly, the workers in southern Ohio at ACP and the cleanup in Piketon have proven their worth, and the congressional delegation, all of us together in both parties, have been able to prove to DOE this is where these (jobs and projects) belong," Brown said. "We will continue to make that case and I'm confident we will win on it because we've won every single time on this."

U.S. Rep. Brad Wenstrup said support and advocacy from both leaders and community members across southern Ohio has played a crucial role in demonstrating how important continued funding of the projects is to the region.

The bill is expected to pass the House and Senate later this week. DOE did not immediately respond to a request for comment.